

SAN LUIS OBISPO PLANNING DEPARTMENT HEARINGS
MINUTES OF THE MEETING OF

November 4, 2005

Minutes of the Regular Meeting of the County Planning Department Hearings held in the San Luis Obispo County Planning and Building Department Conference Room, County Government Center, San Luis Obispo, California, at 9:00 a.m.

The meeting is called to order at 9:00 a.m. by Warren Hoag, Hearing Officer.

The following action minutes are listed as they were acted upon by the Hearing Officer of the Planning Department Hearings and as listed on the agenda for the Regular Meeting of November 4, 2005, together with the maps and staff reports attached thereto and incorporated therein by reference.

PUBLIC COMMENT PERIOD:

Jim Laloggia, Woodlands Ventures – DRC2005-00019; Brad Brechwald – Woodland Ventures, states he is in agreement with the staff report and is present for any comments. Thomas Whalen, representative for Woodlands Ventures, is present for any questions.

CONSENT AGENDA:

None

NON-HEARING ITEMS:

1. This being the time set for hearing to consider a request by **DIANE NORTON** for a Minor Use Permit/Coastal Development Permit to allow the construction of a 650 square foot addition to a single family residence and the construction of a 320 square foot detached guesthouse. The construction of the project would result in a site total of 1,563 square feet of footprint, 1,833 square feet of gross structural area, and require 291 square feet of TDCs. The project will result in the disturbance of approximately 600 square feet of a 5,560 square foot parcel. The proposed project is within the Residential Single Family land use category and is located at 2705 Wilton Drive, Lodge Hill, in the community of Cambria in the North Coast planning area. This project is exempt under CEQA. **County File No: DRC2005-00050.** Assessor Parcel Number: 023-235-035. Supervisorial District: 2. Date Accepted: October 4, 2005. Martha Neder, Project Manager.

MINUTES:

Hearing Officer: Warren Hoag

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through Q in Exhibit A and subject to Conditions 1 through 23 in Exhibit B.

2. This being the time set for hearing to consider a request by **DOUGLAS FLAATA** for a Minor Use Permit to allow the placement of a pre 1976 mobile home. Additionally, the applicant is requesting a waiver of the exterior design standards required by Section 22.30.450(E) of the county code for siding, roof material and roof overhangs. The project will result in site disturbance of approximately 1,200 square feet on a 2.5 acre parcel. The proposed project is within the Residential Suburban land use category and is located at 11055 Dixon Street in the community of California Valley. The site is in the Shandon-Carrizo Planning Area. This project is exempt under CEQA. **County File No: DRC2004-00155.** Assessor Parcel Number: 082-191-015. Supervisorial District: 5. Date accepted: August 16, 2005. Nick Forester, Project Planner.

MINUTES:

Hearing Officer: Warren Hoag

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 13 in Exhibit B.

3. This being the time set for hearing to consider a request by **WOODLANDS VENTURES** for a Minor Use Permit to allow the removal of approximately 160 acres of eucalyptus trees in the Phase 1B development area of the Woodlands Village. The proposed project is within the Recreation land use category and is located in the easterly end of the Woodlands Village between Camino Caballo and Mesa Road with Viva Way being the easterly boundary, approximately 2 miles west of the community of Nipomo. The site is in the South County (Inland) planning area. The Environmental Coordinator finds that the previously certified Final Environmental Impact Report (FEIR) is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previously certified FEIR, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previously certified FEIR, and no new information of substantial importance has been identified which was not known at the time that the previous FEIR was certified. **County File Number DRC 2005-00019.** Assessor Parcel Numbers: 091-221-001 and 091-261-025. Supervisorial District: 4. Date Accepted: October 4, 2005. Jay Johnson, Project Manager.

MINUTES:

Hearing Officer: Warren Hoag

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted based on Findings A through F in Exhibit A and subject to Conditions 1 through 27 in Exhibit B.

4. This being the time set for hearing to consider a request by **JAMES AND SHARRY OHL** for a Minor Use Permit to allow for the placement of a pre-1976 mobile home. Additionally, the applicant is requesting a waiver of the exterior design standards required by Section 22.30.450(E) of the county code for siding, roof material, and roof overhangs. The project will result in the disturbance of approximately 940 square feet of a 20-acre parcel. The proposed project is within the Residential Rural land use category and is located at 3433 Sunburst Road and Spiral Drive, approximately 15 miles northeast of Amber Hills Way, located approximately 50 miles from Highway 41, approximately 5 miles east of the community of Creston, in the El Pomar-Estrella planning area. This project is exempt under CEQA. **County File No: DRC2005-00023.** Assessor Parcel Number: 042-261-025. Supervisorial District: 5. Date Accepted: August 26, 2005. Holly Phipps, Project Planner.

MINUTES:

Hearing Officer: Warren Hoag

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 12 in Exhibit B.

HEARING ITEMS

5. This being the time set for hearing to consider a request by **HEELY AND TWISSELMAN** for a Lot Line Adjustment to adjust the lot lines between three parcels of 258.23, 170.74, and 166.61 acres each. The adjustment will result in two parcels of 343.60 and 251.98 acres each. The proposed project is within the Agriculture land use category and is located at the approximate address of 6990 Bitterwater Road, approximately 19 miles east of Shandon, in the Shandon-Carrizo planning area. This project is exempt under CEQA. **County File No: SUB2004-00347/COAL 05-0137.** Assessor Parcel Numbers: 037-071-019, 037-081-037 and portion of 037-121-002. Supervisorial District: 1. Date Accepted: May 20, 2005. Holly Phipps, Project Manager.

MINUTES:

Hearing Officer: Warren Hoag

Others: Sheree Twisselman-Davis, applicant.

Holly Phipps, staff, presents project. States the resultant lot line adjustment will maintain a position of the property that is better than, or equal to, the existing situation relative to the County's zoning and building ordinances.

Sheree Twisselman, applicant, states she is here today to thank staff for a job well done and to answer any questions. States the use of the property will remain agricultural, and thanks staff for recommending approval. States she and her sister received a copy of the staff report and are in agreement with the findings and conditions.

Hearing Officer explains the subsequent procedure for applying for a Certificate of Compliance.

Thereafter, on motion of the hearing officer, the Lot Line Adjustment is approved based on Findings A through D in Exhibit A and subject to Conditions 1 through 10 in Exhibit B.

6. This being the time set for hearing to consider a request by **JOSEPH KIES** for a Lot Line Adjustment to adjust the lot lines between two (2) parcels of 80.1 and 182.7 acres each. The adjusted parcels will be two (2) parcels of 80.1 and 182.7 acres each. The project is within the Agricultural land use category and is located on Von Dollen Road, northeast of the city of Paso Robles, in the El Pomar/Estrella planning area. This project is exempt under CEQA. **County File No. SUB2004-00321/COAL05-0133.** Assessor Parcel Numbers: 019-051-011, 019-282-001 and 002. Date Accepted: August 19, 2005. Supervisorial District: 1. Andrea Miller, Project Planner.

MINUTES:

Hearing Officer: Warren Hoag

Others: Harrell Fletcher, agent; Alex Roller, student viewer.

Andrea Miller, staff, presents project. States there have been no changes to the staff report. Indicates the adjustment will result in the reconfiguration of two parcels to reflect topography, access and use that will allow both parcels to have road frontage. States staff is recommending approval.

Harrell Fletcher, agent for applicant, states staff has done a great job. States the project is of benefit to all parties. Indicates he has read the staff report and is in full agreement with all findings and conditions. Questions who will prepare the ag contract upon application for same.

Hearing officer explains the County Planning Department writes up the Ag Contract and explains the subsequent process for obtaining a Certificate of Compliance for finalization of the project.

Thereafter, on motion of the hearing officer, the Lot Line Adjustment is approved based on Findings A through D in Exhibit A and subject to Conditions 1 through 10 in Exhibit B.

7. This being the time set for hearing to consider a request by **THOMAS AND IMOGENE HEALY / LANCE JUBELT / DAVID AND LORI ANGELLO** for a Lot Line Adjustment to adjust the lot lines between three parcels, two 5,000 square foot parcels and one parcel of 12,000 square feet. The adjustment will result in three parcels, two 8,000 square foot parcels and one 6,000 square foot parcel. The project will not result in the creation of any additional parcels. The proposed project is within the Commercial Service land use category and is located at 2050 21st Street and 2021 & 2045 Nipomo Street in the community of Oceano. The site is in the San Luis Bay (Inland) planning area. This project is exempt under CEQA. **County File No: SUB2004-00357/COAL05-0136**; Assessor Parcel Numbers: 062-115-029, 030 and 03; Date October 5, 2005; Supervisorial District: 4. Murry Wilson, Project Manager.

MINUTES:

Hearing Officer: Warren Hoag

Others: Tami Clark, daughter of applicants; Jerry Michael, agent – RRM Design Group.

Murry Wilson, staff, presents project. Discusses the necessity on this project for bringing any non-conforming structures into conformity for approval. States the adjustment will allow for the resultant parcels to be developed with allowed commercial uses. Based on conformity, staff is recommending approval.

Jerry Michael, agent, discusses conditions #8 and #9, and gives a brief history of the project. Indicates the applicants are attempting to adjust the lots to comply with conformity issues. States he feels condition #8 should be deleted, and asks staff to allow the lot line adjustment to move forward. Indicates if condition #8 is left in tact, he feels the family would not be able to sell the property, and the lot line adjustment would not happen.

There is discussion of the building use, which is currently residential. Options are discussed.

Hearing officer explains some of the options. States he reviewed the county ordinances and indicates that on lot line adjustments, the county cannot require the same conditions as on regular minor use permits. States he feels the lot line adjustment makes good sense. States he is obligated to bring the current residence into compliance. Advises the applicant will have two years to comply. States re-zoning would not be feasible on this project. Explains he is not able to modify the county ordinance nor delete condition #8.

There is general discussion.

Tammy Clark, daughter of Thomas and Imogene Healy, applicants, states she is disappointed with the project, indicating it has been problematic to her and her parents. Describes conditions of the dirt road that she believes inhibits any commercial use. States she plans to move off the property in approximately one year. Asks about alternative uses.

Jerry Michael, agent, asks about possible commercial uses.

Hearing officer explains some options that would be plausible without increasing the value of the property 25%, which would trigger other requirements for curb and gutter. Advises applicant to consult with the Permit Center should they wish to discuss commercial use possibilities.

Murry Wilson, staff, offers to provide applicants with a list of commercial uses that could be considered.

There is general discussion.

Thereafter, on motion of the hearing officer, the Lot Line Adjustment is approved based on Findings A through D in Exhibit A and subject to Conditions 1 through 12 in Exhibit B.

There being no further business to discuss, the hearing is adjourned.

Respectfully submitted,
Mary Velarde, Secretary
Planning Department Hearings